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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

DAVID PRATT, an individual, directly and
derivatively on behalf of 3G GREEN GARDEN
GROUP, LLC D.B.A. EMERALD HARVEST, a
California Limited Liability Company,

Plaintiffs,

v.

ROBERT C. HIGGINS, an individual;
SHARON E. HIGGINS, an individual, 3G
GREEN GARDEN GROUP, INC., a Canadian
Corporation and EMERALD HARVEST, INC.,
a Canadian Corporation,

Defendants.

-and-

3G GREEN GARDEN GROUP, LLC D.B.A.
EMERALD HARVEST, a California Limited
Liability Company,

Nominal Defendant.

Case No: 4:22-cv-04228-HSG

**STIPULATED REQUEST TO ADVANCE
THE HEARING DATE ON THE
MOTION TO DISMISS AND CASE
MANAGEMENT CONFERENCE;
ORDER**

Date Action Filed: June 15, 2022

Pursuant to Civil Local Rule 6-2, Plaintiff David Pratt and Defendants Robert C. Higgins, Sharon E. Higgins, 3G Green Garden Group, Inc., Emerald Harvest, Inc., and Nominal Defendant 3G Green Garden Group, LLC (together, “Defendants”), by and through their respective counsel of record, hereby submit this stipulated request:

WHEREAS, Plaintiff filed the First Amended Complaint on August 24, 2022 (Dkt. 16);

WHEREAS, Defendants filed a Motion to Dismiss that is set for hearing on February 2, 2023 at 2:00 p.m. (Dkt. 22);

WHEREAS, the Court has continued the Initial Case Management Conference previously set for October 25, 2022 to February 2, 2023 at 2:00 p.m., to be held along with the hearing on the Motion to Dismiss (Dkt. 28);

WHEREAS, the Court’s scheduling notes indicate availability on January 19, 2023;

WHEREAS, the parties conferred and agreed that it is in their mutual interests and convenience to accelerate the aforementioned hearing and case management conference to January 19, 2023;

WHEREAS, the parties previously stipulated to extend the time for Defendants to respond to the initial complaint (Dkt. 9), and the Court previously granted the parties’ stipulation for a longer briefing schedule for the Motion to Dismiss (Dkt. 19), and no other time modifications have been requested in this case either by stipulation or by Court Order;

WHEREAS, the advancement of this hearing date will not alter the date of any other event or deadline already fixed by Court order and will not have any effect on the schedule for the case;

NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND REQUEST that that the hearing date on the Motion to Dismiss and the Initial Case Management Conference be advanced from February 2, 2023, to January 19, 2023, at 2:00 p.m.

IT IS SO STIPULATED AND REQUESTED.

Date: October 20, 2022

NOSSAMAN LLP
DAVID C. LEE
ILSE C. SCOTT

By: /s/ Ilse C. Scott
Ilse C. Scott

Attorneys for Plaintiff DAVID PRATT

Date: October 20, 2022

By: /s/ Matthew Borden

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Sharon E. Higgins, 3G Green Garden Group,
Inc., Emerald Harvest, Inc., and Nominal
Defendant 3G Green Garden Group, LLC*

ATTESTATION OF FILER


Pursuant to Civil Local Rule 5-1(h)(3), the undersigned ECF user whose identification and credentials are being used to file this document hereby attests that all signatories have concurred and agreed to the filing of this document.

By: /s/ Ilse C. Scott
Ilse C. Scott

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 10/24/2022


Hon. Haywood S. Gilliam, Jr.
United States District Judge